

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JOSHUA FINKEN,

Defendant.

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8:22CR262

ORDER

This matter came before the court for a telephone conference with counsel for the parties on the Unopposed Motion to Continue Trial [90]. The defendant remains in residential drug treatment and the parties seek additional time to conduct finalize plea negotiations. Under the circumstances, the undersigned magistrate judge is persuaded to grant one final continuance. Accordingly, and for good cause shown,

IT IS ORDERED that the Unopposed Motion to Continue Trial [90] is granted, as follows:

1. The jury trial now set for January 29, 2024, is continued to **April 29, 2024**.
2. In accordance with 18 U.S.C. § 3161(h)(7)(A), the court finds that the ends of justice will be served by granting this continuance and outweigh the interests of the public and the defendant in a speedy trial. Any additional time arising as a result of the granting of this motion, that is, the time between **today's date and April 29, 2024**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act. Failure to grant a continuance would deny counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(A) & (B)(iv).

DATED: January 17, 2024.

BY THE COURT:

s/ Michael D. Nelson
United States Magistrate Judge